The JS 44 civil cover sheet and the information contained herein neither replace nor supplementation for the use of pleadings of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. ((a)	PL	AIN	ITI	FFS
	141		- PYT.	1 1 1 .	T. T. 12

Microsoft Corporation, FS-ISAC, Inc., and National Automated Clearing House Association

(b) Courty of Residence of First Listed Plaintiff Kings County, WA (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS
John Does 1-39 d/b/a under various aliases and JabberZeus Crew, controlling computer botnets thereby injuring Plaintiffs and their customers and members.

County of Residence of First Listed Defendant <u>Unknown</u>

(IN U.S. PLAINTIFF CASES ONLY)

NOTE:

IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

KORMAN, J.

Richard A. Jacobsen (R. 52nd St., New York, New	,,	,		Unknown			
II. BASIS OF JURISDICTION (Place an "X" in One Box Only)				TIZENSHIP OF	PRINC	IPAL PARTIES	(Place an "X" in One Box for Plaintiff)
1 U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)		(For Diversity Cases Only) PTF DEF Citizen of This State 1				
2 U.S. Government Defendant	4 Diversity (Indicate Citizensh	ip of Parties in Item III)	Citize	en of Another State	O 2 O	2 Incorporated and I of Business In A	
				n or Subject of a reign Country	O 3 O	3 Foreign Nation	0606
IV. NATURE OF SUIT	(Place an "X" in One Box (recent exercises or		Tanan bandantara		E SECULOU O VICE SECULOU O VICE SECULO VIC
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability	PERSONAL INJURY 365 Personal Injury - Product Liability 367 Health Care/	0 62	5 Drug Related Seizure of Property 21 USC 88 0 Other	1	Appeal 28 USC 158 Withdrawal 28 USC 157	☐ 375 False Claims Act ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking
□ 150 Recovery of Overpayment & Enforcement of Judgment □ 151 Medicare Act □ 152 Recovery of Defaulted Student Loans (Excl. Veterans) □ 153 Recovery of Overpayment of Veteran's Benefits □ 160 Stockholders' Suits □ 190 Other Contract □ 195 Contract Product Liability □ 196 Franchise	□ 320 Assault, Libel & Slander □ 330 Federal Employers' Liability □ 340 Marine □ 345 Marine Product Liability □ 350 Motor Vehicle □ 355 Motor Vehicle Product Liability □ 360 Other Personal Injury □ 362 Personal Injury Med. Malpractice	Pharmaceutical Personal Injury Product Liability 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage 385 Property Damage Product Liability				DEENTARIGITIS Copyrights Patent Trademark	
			71	☐ 710 Fair Labor Standards Act ☐ 720 Labor/Mgmt. Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Empl. Ret. Inc.	☐ 861 1 ☐ 862 1 ☐ 863 1 ☐ 864 5	SOGIAL SECURITY	
REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property	☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/ Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	PRISONER PETITION □ 510 Motions to Vacate Sentence Habeas Corpus: □ 530 General □ 535 Death Penalty □ 540 Mandamus & Othe □ 550 Civil Rights □ 555 Prison Condition □ 560 Civil Detainee - Conditions of Confinement	er 🖸 46.	IMMIGRATION 2 Naturalization Applicati 3 Habeas Corpus - Alien Detainee (Prisoner Petition) 5 Other Immigration Actions	☐ 870 1 ☐ 871 I	ERAL JAX SUITS Faxes (U.S. Plaintiff or Defendant) RS—Third Party 26 USC 7609	☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
	te Court	Appellate Court	Reop	ened another	nsferred fro ther district cify)	Litigation	
VI. CAUSE OF ACTIO	Brief description of ca	tute under which you are b, 15 U.S.C. § 7704, use: s from Defendants'					961, et seq.
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS UNDER F.R.C.P.	IS A CLASS ACTION 23		EMAND \$ eliminary Injunctio	n	CHECK YES only JURY DEMAND:	if demanded in complaint:
VIII. RELATED CASE IF ANY	(See instructions):	JUDGE			DOC	KET NUMBER	
DATE	DATE SIGNATURE OF ATTORNEY OF RECORD						
FOR OFFICE USE ONLY							<u> </u>
RECEIPT# AM	OUNT	APPLYING IFP		JUDGE		MAG. JUD	OGE

CERTIFICATION OF ARBITRATION ELIGIBILITY

exclus	sive of inter	est and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a econtrary is filed.
I,		A. Jacobsen Plaintiffs , do hereby certify that the above captioned civil action is
	gible for c	compulsory arbitration for the following reason(s):
	X	monetary damages sought are in excess of \$150,000, exclusive of interest and costs,
	M	the complaint seeks injunctive relief,
	· 🗖	the matter is otherwise ineligible for the following reason
		DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1
		Identify any parent corporation and any publicly held corporation that owns 10% or more or its stocks:
		Plaintiffs advise the Court that that they do not have parent corporations and that no public held corporation owns more than ten (10) percent of any of Plaintiffs' stock.
		RELATED CASE STATEMENT (Section VIII on the Front of this Form)
provid becaus same j case: (les that "A cases udge and m (A) involves dge to deter	is that are arguably related pursuant to Division of Business Rule 50.3.1 in Section VIII on the front of this form. Rule 50.3.1 (a) civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the agistrate judge." Rule 50.3.1 (b) provides that "A civil case shall not be deemed "related" to another civil case merely because the civil identical legal issues, or (B) involves the same parties." Rule 50.3.1 (c) further provides that "Presumptively, and subject to the power mine otherwise pursuant to paragraph (d), civil cases shall not be deemed to be "related" unless both cases are still pending before the
•		NY-E DIVISION OF BUSINESS RULE 50.1(d)(2)
1.)	Is the county	ivil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk
2.)	If you a	inswered "no" above:
2.,	a) Did t	the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk No.
	b) Did t District	the events of omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern Yes.
Suffo	lk County, folk Count	
	(N	ote: A corporation shall be considered a resident of the County in which it has the most significant contacts),
		BAR ADMISSION
l am c	urrently ad	lmitted in the Eastern District of New York and currently a member in good standing of the bar of this court. No
Are yo	ou currentl	y the subject of any disciplinary action (s) in this or any other state or federal court? Yes (If yes, please explain) No
[certi	fy the accu	racy of all information provided above.

ATTACHMENT

Supplemental information regarding attorney information required under section I. (c):

Gabriel M. Ramsey (pro hac vice application pending) ORRICK, HERRINGTON & SUTCLIFFE LLP 1000 Marsh Road Menlo Park, California 94025 Telephone: (650) 614-7400

Jacob M. Heath
(pro hac vice application pending)
ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, California 94025
Telephone: (650) 614-7400

Jeffrey L. Cox (pro hac vice application pending)
ORRICK, HERRINGTON & SUTCLIFFE LLP
701 5th Avenue
Suite 5600
Seattle, WA 98104
Telephone: (206) 839-4300

CERTIFICATION OF ARBITRATION ELIGIBILITY

Local Arbitration Rule 83.10 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed. Richard A. Jacobsen I, _____, counsel for _____, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s): \boxtimes monetary damages sought are in excess of \$150,000, exclusive of interest and costs, $leve{\Delta}$ the complaint seeks injunctive relief, the matter is otherwise ineligible for the following reason **DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1** Identify any parent corporation and any publicly held corporation that owns 10% or more or its stocks: Plaintiffs advise the Court that that they do not have parent corporations and that no public held corporation owns more than ten (10) percent of any of Plaintiffs' stock. RELATED CASE STATEMENT (Section VIII on the Front of this Form) Please list all cases that are arguably related pursuant to Division of Business Rule 50.3.1 in Section VIII on the front of this form. Rule 50.3.1 (a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 50.3.1 (b) provides that "A civil case shall not be deemed "related" to another civil case merely because the civil case: (A) involves identical legal issues, or (B) involves the same parties." Rule 50.3.1 (c) further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (d), civil cases shall not be deemed to be "related" unless both cases are still pending before the court." NY-E DIVISION OF BUSINESS RULE 50.1(d)(2) Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk 1.) County: If you answered "no" above: 2.) a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? b) Did the events of omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County? (Note: A corporation shall be considered a resident of the County in which it has the most significant contacts). **BAR ADMISSION** I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court. Are you currently the subject of any disciplinary action (s) in this or any other state or federal court? Yes (If yes, please explain) I certify the accuracy of all information provided above.

Signature:

ATTACHMENT

Supplemental information regarding attorney information required under section I. (c):

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